Review Conference of States Parties to the Convention on Cluster Munitions

30 July 2015

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First Review Conference
Dubrovnik, 7 – 11 September 2015
Item 9 of the provisional agenda
Review of the operation and status of the Convention and other matters important for achieving the aims of the Convention

Draft 2015 Dubrovnik Declaration: *Spectemur agendo* (judged by our actions)

Submitted by the President-designate of the first Review Conference

1. We, the representatives of the States parties to the Convention on Cluster Munitions, together with representatives of other States present as signatories, the United Nations, the International Committee of the Red Cross, the Cluster Munition Coalition and other international, regional and national organizations and institutions, gathered for the First Review Conference to the Convention on Cluster Munitions in Dubrovnik, Croatia, a country whose capital Zagreb was itself the target of a cluster munitions strike in 1995, reaffirm our commitment to end the harm caused by cluster munitions. We welcome the [xx] non-signatory States that attend the Meeting as observers as a demonstration of their commitment to the humanitarian goals of the Convention.

2. The adoption, entry into force and implementation of the Convention on Cluster Munitions is the ground-breaking result of the determination, action and successful partnership between States, international organisations and civil society to end the harm caused by cluster munitions by prohibiting the use, production, transfer and stockpiling of cluster munitions, remedying the effects of past use by assisting victims, their families and communities and clearing contaminated land. The Convention is proof that it is possible for this partnership to take bold, visionary and decisive action to solve our collective problems and is a testament to the importance of humanitarian disarmament in global affairs.

Preventing harm and reducing risk

3. At this first quinquennial, we note with great satisfaction the results we have collectively achieved as highlighted at Meetings of States Parties held in Lao People's Democratic Republic, Lebanon, Norway, Zambia and Costa Rica. In the five years following entry into force, most of the affected countries and many former users, producers and stockpilers have joined this effort. To date, [116] States have committed to the goals of the Convention, of which [92] have become full States parties, with as many as [eight] joining since the last Meeting in San José, while [24] await the submission of their

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instruments of ratification. States parties call on them to do so without delay, and urge all States not party to accede to the Convention to ensure that it reaches its full potential in the shortest possible time frame.

4. The work of State parties to implement the provisions of the Convention, in stockpile destruction, surveys, clearance and risk reduction activities and in assistance and support to victims, their families and communities, is already making a difference on the ground: five years after entry into force, Central America became the first sub-region free of cluster munitions; [six] States parties affected by cluster munitions remnants have declared compliance with obligations under Article 4 and many States parties with high levels of contamination are actively working to meet their treaty obligation to clear land and protect the communities from the threats posed. National ownership and commitment for the early destruction of stocks of cluster munitions have resulted in the declaration of compliance of [22] States parties under Article 3 and in the destruction of more than [80] per cent of reported cluster munitions stockpiles.

5. Building upon these achievements and the recommendations of the Vientiane Action Plan Review, we recognize the need to work on the challenges identified towards the implementation of the Convention, on universalization, in national implementation, the long-term and sustainable provision of assistance to victims and in ensuring efficiency and effectiveness in clearance as well as in maintaining the momentum of stockpile destruction. To this end, the Dubrovnik Action Plan incorporates the lessons learned to guide our collective efforts in the further implementation of the Convention with the ultimate goal of a world free of cluster munitions.

6. We are deeply concerned by any and all allegations, reports or documented evidence of the use of cluster munitions, including in Cambodia, Libya, Myanmar, South Sudan, Sudan, Syrian Arab Republic, Ukraine and Yemen. We condemn any use of cluster munitions by any actor. Such acts run counter to the spirit, aim and letter of the Convention and exacerbate the humanitarian problem already caused by the prior use of these weapons with indiscriminate and inhumane effects. We call on any actor subject to allegations of use to fully investigate and clarify the matter. We note that the public reactions of those alleged to have used cluster munitions demonstrate the steadily growing stigma now associated with these weapons. We call upon those who continue to use cluster munitions, as well as those who develop, produce, otherwise acquire, assist, encourage and induce the production, stockpiling, retention and transfer of these weapons, to cease immediately and to join as States parties to the Convention.

7. Meeting in Dubrovnik, a city torn by war just over 20 years ago, we are reminded of what collective efforts can do for recovery, having brought this city back to its former splendour and glory. Complacency can have no place when witnessing the devastation caused by violence and conflict on individuals, their families and communities, wherever it occurs. The preventive nature of the Convention on Cluster Munitions combined with the recovery efforts put in place to remedy the damage done is a testament to what can and must be achieved when post-facto, we learn of the consequences of our actions.

8. The leadership shown by the Lao People's Democratic Republic, Lebanon, Norway, Zambia, Costa Rica and Croatia together with the partners in this endeavour, affected and non-affected alike, with civil society and always backed by and urged on by the many survivors, continues to be a key driver of our success.

Achieving a world free of cluster munitions

9. Guided by the strategic roadmap outlined in the Dubrovnik Action Plan, we are compelled to do more, for as long as people remain at risk, to ensure that deadlines are met

by declarations of compliance, and that the rights of cluster munition victims are realised. The annual progress reports are an essential tool for measuring the implementation and progress of the convention and we should continue to use them in our further work. We hope to accomplish more by the ten-year anniversary of the Convention in 2020, to bring us closer to our collective goal of a world free of cluster munitions.

10. Judged by our actions, we, the States parties therefore hereby reaffirm:

(a) *our commitment to fully implement all* of the obligations under the Convention, and thus enhance the partnership with international organisations, expert organisations and civil society guided by the overall actions outlined in the Dubrovnik Action Plan;

(b) *our commitment to fully implement* the provisions of the Convention in stockpile destruction, survey, clearance and risk reduction education, increasing international cooperation and assistance to fulfil these obligations without delays in the framework provided by the Convention.;

(c) *our commitments to victims and survivors*, including all persons directly impacted by cluster munitions as well as their families and communities through comprehensive assistance adapted to their specific needs, particularly through strengthening international cooperation and assistance under the provisions of the Convention;

and further commit ourselves to:

(d) *ensure* that cluster munitions remain a stigmatized weapon;

(e) *promote* universalization by urging all States outside of the Convention to join as soon as possible, and discourage them from any future use of cluster munitions;

(f) *work* towards a world free of the suffering, casualties and socio-economic impacts caused by cluster munitions.